

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**STEVE KLEIN, individually and on behalf
of all others similarly situated,**

Plaintiffs,

v.

**BOSTON SCIENTIFIC CORPORATION,
MICHAEL F. MAHONEY, and DANIEL J.
BRENNAN,**

Defendants.

**Civil Case No.
19-11356-FDS**

ORDER APPOINTING LEAD PLAINTIFF AND APPROVING LEAD COUNSEL

SAYLOR, J.

The Court having considered the motions for appointment of lead plaintiff and approval of lead counsel, it is hereby ordered as follows:

1. The Court hereby appoints Steve Klein as lead plaintiff in this action. Klein appears to satisfy the requirements for lead plaintiff set forth in 15 U.S.C. § 78u-4(a)(3)(B)(iii), the Private Securities Litigation Reform Act of 1995 (“PSLRA”).
2. Lead plaintiff, pursuant to the PSLRA, has selected and retained Pomerantz LLP as lead counsel and Andrews DeValerio LLP as liaison counsel for the class.
3. Lead counsel shall have the following responsibilities and duties, to be carried out either personally or through counsel whom lead counsel shall designate:
 - (a) to coordinate the briefing and argument of motions;
 - (b) to coordinate and direct discovery proceedings, including coordinating the examination of witnesses in depositions;

- (c) to coordinate the selection of counsel to act as a spokesperson at pretrial conferences;
- (d) to call meetings of the plaintiffs' counsel as may be deemed necessary and appropriate from time to time;
- (e) to coordinate settlement negotiations with counsel for defendants;
- (f) to coordinate and direct preparation for trial and the trial of this matter and to delegate work responsibilities to selected counsel as may be required; and
- (g) to supervise any other matters concerning the prosecution, resolution, or settlement of this matter.

4. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any plaintiffs without the participation and approval of lead counsel. No settlement negotiations shall be conducted without the participation and approval of lead counsel.

5. Counsel in any related action that is consolidated with this action shall be subject to this order.

6. Lead counsel shall have the responsibility of ensuring that court orders and notices are made available to appropriate counsel.

7. To the extent that defendants are effecting service of papers on plaintiffs by overnight mail service or hand delivery, defendants may do so by serving lead counsel.

8. During the pendency of this litigation, or until further order of the Court, the parties shall take reasonable steps to preserve all documents within their possession, custody, or control, including computer-generated and stored information, and materials such as

computerized data and electronic mail, containing information which is relevant or which may lead to the discovery of information relevant to the subject matter of the pending litigation.

So Ordered.

Dated: July 17, 2019

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
United States District Judge